

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 31, 1951  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding:

## Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Absent: None

Present also: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman Johnson moved that since copies of the minutes of the last meeting of the City Council have been furnished Councilmembers by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being duly seconded by Councilman Long, the motion was unanimously adopted by the Council and the minutes so approved.

MR. RALPH CAMPBELL, representing the Austin Junior Chamber of Commerce, requested concession rights at the Jaycee Stadium, as they lacked about \$4,000.00 meeting their obligations on the erection of this stadium. Their advertising campaign will not be completed until next September, and they will use the money from the concession rights to finish out the \$10,000 they promised in this stadium construction. Bids on concessions had already been advertised, but no awards made yet. There was a question of the Jaycees taking full responsibility of staffing this concession at all times. Councilman MacCorkle moved that the City Manager work out some concession rights with the Jaycees and submit a recommendation to the Council. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Former Mayor TAYLOR GLASS, representing the Chamber of Commerce on the development of the Colorado River asked that an appropriation of \$2,000 be made to make a model of the river and its banks by the Planning Division and some extra help. Working space and expert engineering advice will be furnished by the L.C.R.A. He suggested two models--one of the river today and one of the planned river with its boulevards and swimming beaches. Eventually a model of the whole town might be built, and that would help in the planning of traffic, utility systems and everything else. MR. MAX STARCHKE stated this planning would add to the beauty; but most of all, it would mean lots to the flood control. He was in favor of the model to start the planning so that the river-bed would be cleaned out. The City Manager stated some preliminary planning had been done in this line. Such a model would be helpful to the Planning Commission and to the City in the study of the engineering problems. Former MAYOR TAYLOR GLASS stated this would be something the engineering department could give grade lines on and the gravel companies could be guided by those lines. He stated if a professional organization were asked to do this, it would cost \$30,000; and Austin has Mr. Seaholm, the L.C.R.A., and the Planning Supervisor, who all know more about the problem than anyone else. The City Manager was asked to see if there was money available for this and to have his recommendation by next Thursday.

In accordance with the published notice thereof, at 10:30 a.m. it was announced that the Council would proceed with the hearing involving the improvement of East 13th Street from the east property line of East Avenue to the West property line of Waller Street in the City of Austin, the benefits which would result to the abutting property and owners, the amount of costs of such improvements to be assessed against the abutting property and owners and all related matters.

The Assistant Director of Public Works was called upon to describe the proposed improvements. He explained that the paving to be installed is a permanent type consisting of a 4" flexible sub-base with a 6" hot mix asphaltic concrete surface, with curbs and gutters, and that revised plans had been prepared to provide a pavement 30feet in width from curb to curb.

Mr. Pat Adelman appeared and stated that he is a Real Estate Dealer in Austin, that he has been in that business since April 1, 1946, and that he has had occasion to observe and is familiar with property values in Austin. He stated he had inspected the street involved in this hearing and was familiar with the properties abutting it. He further stated that he was familiar with the improvements proposed to be constructed, and he had seen the schedule or roll showing the costs proposed to be assessed against the properties abutting such street, and that in his opinion each parcel of property abutting such street will be enhanced in value by such improvements in excess of the amount of the costs of such improvements to be assessed against such abutting property.

The Mayor then asked if any other parties desired to be heard, or to make a statement and there being no further persons or parties appearing and wishing to be heard at the hearing, the Mayor announced that the hearing was closed, and directed the City Attorney to prepare the proper ordinance incorporating the findings of the City Council when made.

MR. W. R. SMITH represented THE TRAFFIC METER ADVERTISING COMPANY in its request to place advertising on the Parking Meters. Although the City Attorney submitted an opinion that this was not legal, Mr. Smith's opinion was that it was legal, in view of Article 1085, Section I and Section II. He read the last paragraph of the City Attorney's opinion dated May 24, 1951, where he recommended "since it appears that applications will continue to be made from time to time if rejected on this occasion, that the present applicants join the City of Austin in a suit to obtain from the Supreme Court of Texas a declaratory judgment as to the validity of commercial advertising on parking meters and other traffic control devices." Mr. Smith stated they were willing to do that. MAYOR DRAKE stated he voted in favor of this advertising last year; but in view of the City Attorney's opinion, he could not vote for something that our Attorney said was illegal, but he would like to see a suit filed on this. COUNCILMAN LONG wanted to pass on it and then if some citizen wanted to bring suit, it would have the same effect; and until the City did pass on it, she did not believe there would be any reason to take it into court. COUNCILMAN MACCORKLE disapproved of advertising on parking meters, but had no objection to testing the legality. COUNCILMAN WHITE felt the City should go ahead and find out like the City Attorney recommended. COUNCILMAN JOHNSON expressed opposition to the advertising, but had no objection to the suit. MR. WOODROW PATTERSON represented the opposing merchants and citizens, stating such methods of advertising would detract from the beauty of the city and bring more damage to it than the \$20,000 a year would add. He submitted a petition by 66 merchants on Congress Avenue and Sixth Street. (This petition on file in City Clerk's Office under "TRAFFIC" and marked for identification) MR. FRANCIS AMSLER spoke in opposition. MR. JOE DACY was against this advertising proposition; DAVID LAMME, RECTOR ALLEN, JOHNNIE VAUGHT, JESSE KELLAM, and others spoke against allowing this franchise. MR. B. H. SHIPWASH stated he was in favor of this advertising proposal, as the \$20,000 could be used to buy traffic signals and cut down on automobile wrecks. MR. J. K. LYLES pointed out that besides the \$20,000 to the City, this proposition would mean a payroll of \$250,000 a year in the manufacture of these signs, and give employment to approximately 80 people. Councilman MacCorkle moved that the request to place advertising on the parking meters by THE TRAFFIC METER ADVERTISING COMPANY be denied. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, White, Mayor Drake\*  
Noes: Councilman Long

\* Voted with the statement that under the opinion of the City Attorney he felt he must vote against the placing of advertising on the parking meters.

The Mayor then announced that the request had been refused by a 4 to 1 vote.

Councilman MacCorkle then moved that if some means could be devised for testing the legality of this in the Courts that such be done. This motion had no second, as the request had been turned down.

COUNCILMAN JOHNSON commended the City Administration on the MUNICIPAL ACTIVITY DIGEST which was being sent out to the Council and to the press.

DR. ROBERT B. DIXON submitted the following petition signed by about 1,000 residents:

"We, the undersigned, being residents of the city of Austin, and being interested in the development of the waters of Lake Austin for recreational purposes, and being of the opinion that the Longhorn Boat Club can and will use the waters of said lake for wholesome recreational and aquatic purposes, hereby respectfully petition the City Council and the Navigation Board of the City of Austin to grant to the Longhorn Boat Club, permission to use the waters of Lake Austin adjacent to and within reasonable proximity of its property located on the shore of said lake between Bull Creek and the Austin City Park, for conducting races of all types, and other wholesome sporting and recreational purposes."

The Mayor stated this petition would be passed on to the Navigation Board to consider along with other data on this subject.

MR. W. DON PRICE, 5703 Bull Creek Road, submitted a petition asking for stop signs as the following streets:

Intersection of Bull Creek Road and Northland Drive  
Intersection of Woodview and Northland Drive  
Intersection of Shoalwood and Northland Drive

MRS. J. N. LYLES, 5619 Bull Creek Road, reported a wreck between a gravel truck and a car, which was knocked into her yard, hit her house and damaged it. She reported speeding of these trucks, and stated she had called the Police Department a number of times. She asked where the complaints went. The City Manager said the complaints about speeding have been handled by the Police Department by patrolling the area, by giving tickets, and by talking with the officials of the Sneed Gravel Company, directing them to instruct their drivers about this, trying to get to the source. This particular accident occurred May 29th, and it was immediately referred to the Traffic Engineer who now has a recommendation to boulevard Northland Drive. He submitted copies of this recommendation to the Council with his approval. The recommendation read as follows:

"Attached is a sketch indicating the locations along Northland Drive where it is proposed to erect stop signs and speed limit signs.

"Northland Drive is a thoroughfare which is included in our city-wide through street plan. It is proposed to provide stop sign protection at all intersections along this thoroughfare and it is requested that an appropriate ordinance be adopted to authorize these installations.

| <u>On (Street)</u> | <u>At (Street)</u> | <u>Entrance</u> |
|--------------------|--------------------|-----------------|
| "Shoal Creek       | Northland Drive    | South           |
| Bull Creek         | " "                | North & South   |
| Woodview           | " "                | North & South   |
| Shoalwood          | " "                | North & South   |
| Wynona             | " "                | North           |
| Montview           | " "                | North & South   |
| Northland Drive    | Burnet Highway     | West            |

(S) W. H. Klapproth  
Traffic Engineer

Recommended for Approval  
(S) W. E. Seaholm

It was brought out there was a traffic ordinance before the Council for passage, and these stop sign locations could be added to that ordinance by amendment. MR. PRICE and MRS. LYLES insisted on a four-way stop. MR. KLAPPROTH was called in. He stated four-way stops were installed where there were 450 cars per hour at one intersection. COUNCILMEN LONG and WHITE stated there might be an unusual situation there that might warrant the four-way stop.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Nays: None

At this point Councilman Long moved that the ordinance be amended to include the following stop signs as just recommended by the City Manager:

| <u>On (Street)</u> | <u>At (Street)</u> | <u>Entrance</u> |
|--------------------|--------------------|-----------------|
| Shoal Creek        | Northland Drive    | South           |
| Bull Creek         | " "                | North and South |
| Woodview           | " "                | North and South |
| Shoalwood          | " "                | North and South |

| <u>On (Street)</u> | <u>At (Street)</u> | <u>Entrance</u> |
|--------------------|--------------------|-----------------|
| Wynona             | Northland Drive    | North           |
| Montview           | " "                | North and south |
| Northland Drive    | Burnet Highway     | West            |

The motion, seconded by Councilman White, carried by the following vote:  
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

The ordinance was then read the second time with amendments, and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

The ordinance was read the third time, and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager stated in regard to the complaints on speeding that this area around the 5600 block of Bull Creek Road and Northland Drive would be patrolled for speeders. Proper signs would be installed setting out the speed limits.

The Council set Tuesday, June 5, 1951, at 8:00 P.M. as a meeting date with the Zoning Board and Planning Commission to have a comprehensive discussion. The members of the Boards, Miss Osburn and Mr. Parker were asked to be present.

COUNCILMAN LONG asked that this be a public meeting so that anyone that wanted to attend would be welcome. It was discussed as to whether or not these meetings would be advertised so the public would know, or if they would be held as meetings for the Council to obtain information and progress of developments. It was stated they could be modified; and after the Council had held its discussion, that anyone who wanted to ask questions or make suggestions would be welcome to do so.

COUNCILMAN MacCORKLE passed out audit specifications he had obtained from Tyler and Wichita Falls and asked that the Council and the City Manager study these. He asked that the City Manager make some recommendations to the Council.

Discussion was held on the lowering of the Lake to permit the cleaning out of aquatic growths. It was stated the L.C.R.A. would not be able to lower the lake this year due to the shortage of water and demand for power.

MR. H. J. MELIN made protest of the tax valuation placed on his property,

stating he had added to his property, putting up a car port and roofing and closing his porch. He put in a cement slab in what used to be the garage. He stated he felt the valuation on these improvements were not consistent and were excessive. MR. RICKEY KEY, Chairman of the Board of Equalization, stated that in 1950, he had 1158 square feet at \$2.65, sleeping porch of 198 square feet at \$2.65 and garage of 324 square feet at \$1.00 with a discount of 25%. After the improvements were made the square footage was increased to 1468 square feet and that was increased to \$3.40. The sleeping porch was increased to \$2.00; car port, .85¢; for the garage or storage room or laundry, .25¢ was added. The Tax Department gave a discount of 15%, but the Board increased the discount to 25%. After complete explanation, the Mayor stated to Mr. Melin that the Council would decide on this and let him know at a later date.

Discussion was held on the livestock ordinance pending before the Council. The ordinance was turned over to the City Attorney for rewording in some sections, pertaining to the keeping of dogs, and he was instructed to have it ready for the Council at the following week.

The Mayor stated certain officials should be appointed by the Council at this meeting. Councilman MacCorkle moved that DR. BEN PRIMER be reappointed as City Health Officer. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman MacCorkle moved that JUDGE JOE B. ROBERTS be reappointed as Judge of the Corporation Court. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman MacCorkle moved that WILLIAM A. WILLIAMSON be reappointed as Clerk of the Corporation Court. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Zoning Board:

|                    |   |                 |
|--------------------|---|-----------------|
| T. P. YEATES       | 5200 North Lamar Blvd.  | From "A" to "C" |
| ARVAN WASHINGTON   | 2100 E. 17th Street   | From "A" to "C" |
| MARVIN B. BRASWELL | 5500 Blk. Roosevelt Ave.)<br>5500 Blk. Grover Ave. & )<br>1200 Blk. Houston St. ) | From "A" to "C" |

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON LOTS 4-6, BLOCK 3, AND LOTS 4-6, BLOCK 6, HENRY B. SEIDER'S SUBDIVISION; LOTS 1-16, BLOCK 1, AND LOTS 1-15, BLOCK 3, LEE'S HILL ADDITION; LOTS 9-16, BLOCK 11, LOTS 9-16, BLOCK 8, AND LOTS 12-22, BLOCK 4, ALTA VISTA ADDITION, ALL IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the second time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the third time, and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The Mayor then announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS

OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON THE NORTHEAST 80 FEET OF THE LIZZIE BOULDIN 1.008 ACRE TRACT OF THE DECKER UNPLATTED PROPERTY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the second time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the third time, and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The Mayor then announced that the ordinance had been finally passed.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Brown Securities Corp. is the Contractor for the addition to a building located at 710 Colorado Street and desires a portion of the sidewalk and street space abutting Lots 7 and 8, Block 82, of the Original City of Austin, Travis County, Texas, during the addition to a building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Brown

Securities Corp. the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 8th Street to a point 10 feet north of the south curb line; thence in an easterly direction and parallel with the centerline of West 8th Street 92 feet to a point; thence in a southerly direction and at right angles to the centerline of West 8th Street to the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Colorado Street to a point 10 feet east of the west curb line; thence in a southerly direction and parallel with the centerline of Colorado Street 128 feet to a point; thence in a westerly direction and at right angles to the centerline of Colorado Street to the southeast corner of the above described property.

Thence in a southerly direction and parallel with the centerline of Colorado Street to the south line of said alley; thence in a westerly direction and at right angles to the centerline of said alley approximately 80 feet to the east line of the American Statesman Loading Dock; thence in a northerly direction and parallel with the centerline of the alley 20 feet to the south line of the above described property.

The closing of a portion of 7th Street Alley shall be contingent upon the Brown Securities Corp. making available to the American Publishing Company and other property owners an easement extending northward from West 7th Street to said alley and adjacent to the American Statesman Building for ingress and egress at all times during the construction operation.

2. THAT the above privileges and allotment of space are granted to the said Brown Securities Corp., hereinafter termed "Contractor", upon the following express terms and conditions:

(1). That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2). That the Contractor shall construct a guard rail within the

boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(3). That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(4). That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(5). That "No Parking" signs shall be placed on the street side of the barricades.

(6). That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(7). That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(8). That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor shall be responsible for any damage done due to obstruction of any such storm water.

(9). That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(10). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than December 1, 1951.

(11). That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(12). That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(13). That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(14). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify

and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise of abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards, during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the construction and maintenance of a private boat dock and screened-in observation deck on the property owned by Van W. Spinks as described in the Travis County Deed Records, on the shore of Lake Austin, and hereby authorizes the said Van W. Spinks to construct, maintain and operate this private boat dock and screened-in observation deck subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this private boat dock and screened-in observation deck after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Van W. Spinks has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"May 31, 1951

"Mr. Walter E. Seaholm  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Van W. Spinks, owner of Lot 6, C-BAR Ranch Lake view Acres abutting Lake Austin and listed in the Travis County Deed Records, for permission to construct and maintain a private boat dock and screened-in observation deck projecting out into Lake Austin approximately 30 feet.

"I recommend that Van W. Spinks be granted permission to construct and maintain said private boat dock and screened-in observation deck subject to the following conditions:

(1) "That nothing but creosoted or cedar piles and heavy iron bolts or concrete be used in the construction of this pier, dock or wharf.

(2) "That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters or any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

(3) "That no structure shall extend into Lake Austin more than fifty (50) feet beyond normal high water or more than one-third the distance from shore to shore at point where structure is located, and not nearer than ten (10) feet to the side property or lease line.

(4) "That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"Respectfully submitted,

(S) J. C. Eckert, Building Inspector"

The motion, seconded by Councilman MacCorkle, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The City Manager submitted the following request from LT. WILLIAM E. SHELTON, Flight Supply Officer, dated May 10, 1951:

"Please consider this a request for the thirty-eight (38) two-way radios owned by the City of Austin, and now stored in the small building to the rear of the City Hall.

"These radios, formerly ones used in City Police and Fire Department equipment, and now obsolete for these purposes, will be used by the Austin Flight, Civil Air Patrol for mounting in the automobiles of this unit. Their usage will be for emergency and disaster work, including both practice and actual missions.

"The undersigned is authorized by the Flight Commander to pick up these radios at the convenience of the City.

"The act of turning this equipment over to the Civil Air Patrol is deeply appreciated, and you may be sure that these radios will be put to good use in preparing for any emergency that might arise.

"FOR THE FLIGHT COMMANDER:

(S) William E. Shelton, 2nd. Lt., CAP  
Flight Supply Officer"

RECOMMEND AND APPROVE

(S) W. E. Seaholm

Also, the following memorandum from the Purchasing Agent to the City Manager was submitted:

"May 10, 1951

"Please note the attached letter from Lt. William E. Shelton, C.A.P. asking that the City give the junk radio of the Police Department

now stored in the shed at the Municipal Building, to the Civil Air Patrol.

"Captain Blackman and Mr. Hill of the Police Department advise that this is carried as junk and is not usable by the Police Department and could be sold only as junk.

"Mr. Bass, who is making a property evaluation, advises that this equipment is not carried on the property books.

"The Civil Air Patrol can utilize parts of this equipment in rebuilding usable sets for cases of emergency as a radio network.

"Rather than sell this equipment as junk it is respectfully requested that you approve this turning of this over to the Civil Air Patrol."

(S) O. G. Brush, Purchasing Agent"

The City Manager stated these radios were stored and were of no use to the City Police Department and had no salvage value. They are now carried as "junk". The transfer of the equipment to the Civil Air Patrol would be of value to the City in that the C.A.P. can use them and would use them in case of disaster or for civilian defense, and he would recommend this transfer.

Councilman MacCorkle moved that the recommendation of the City Manager be accepted and that the transfer to the C.A.P. of these two-way radios now stored and not usable to the Police Department, be authorized. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with C. R. Flournoy, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (Filed under Water Main Extensions, 1951. Contract File No. 519-C)

The motion, seconded by Councilman Johnson, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Sky View, Section 2", approved by the City Plan Commission of the City of Austin on September 14, 1950, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of the subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

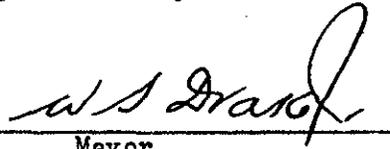
That the final plat of the subdivision known as "Brykerwoods Annex No. 2" approved by the City Plan Commission of the City of Austin on May 24, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of the subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

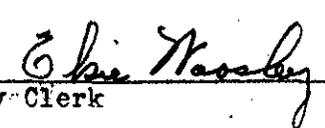
Noes: None

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED: 

Mayor

ATTEST:

  
City Clerk